IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

DEVONTE GREEN,	)	
	)	
Petitioner,	)	
	)	
v.	)	CASE NO. CV420-074
	)	CR417-093
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	
	)	

O R D E R

Before the Court is the Magistrate Judge's August 25, 2021, Report and Recommendation (Doc. 4), to which Petitioner has not filed objections.[1] After a careful review of the record,[2] the Report and Recommendation (Doc. 4) is **ADOPTED** as the Court's opinion in this case. Accordingly, the Government's Motion to Dismiss (Doc. 3) is **GRANTED**, and Petitioner's motion (Doc. 1) is **DISMISSED**. The Clerk of Court is **DIRECTED** to close this case.

Further, a federal prisoner must obtain a certificate of appealability ("COA") before appealing the denial of his motion to

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[1] Unless otherwise stated, all citations are to Petitioner's civil docket on this Court's electronic filing system, CV420-074.

[2] The Court reviews de novo a magistrate judge's findings to which a petitioner objects, and the Court reviews for clear error the portions of a report and recommendation to which a petitioner does not object. 28 U.S.C. § 636(b)(1); see Merchant v. Nationwide Recovery Serv., Inc., 440 F. Supp. 3d 1369, 1371 (N.D. Ga. 2020) (citing Macort v. Prem, Inc., 208 F. App'x 781, 784 (11th Cir. 2006) (per curiam) (outlining the standard of review for report and recommendations)).

vacate. Applying the COA standards set forth in Brown v. United States, Nos. 407CV085, 403CR001, 2009 WL 307872, at *1-2 (S.D. Ga. Feb. 9, 2009), the Court discerns no COA-worthy issues at this stage of the litigation, so no COA will issue either. 28 U.S.C. § 2253(c)(1); Rule 11(a) of the Rules Governing Section 2255 Proceedings for the United States District Courts ("The district court must issue or deny a certificate of appealability when it enters a final order adverse to the applicant.").

SO ORDERED this __11th__ day of April 2022.

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WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA